



JCO3 Recd PCT/PTO 20 SEP 2005

PATENT #6
Attorney Docket 051530-5008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Vernon L. Alvarez *et al.***

Application No. 10/522,810

International Filing Date: **June 2, 2003**

Date of Entry into U.S. National Stage: **January 31, 2005**

Examiner: **Not Assigned**

Art Unit: 1646

For: **Treatment of Cell Proliferative Disorders With Chlorotoxin**

Mail Stop PCT

U.S. Patent and Trademark Office
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401 Dulany Street
Alexandria, VA 22314

RESPONSE TO NOTICE OF MISSING REQUIREMENTS

1. This paper is filed in response to the Notification of Missing Requirements Under 37 U.S.C. 371 in the United States Designated/Elected Office dated July 27, 2005. A copy of the Notification of Missing Requirements is enclosed.
2. Additional Papers Filed:
 - (i) Executed Inventor Declaration (2 pages)
 - (ii) Information Disclosure Statement
 - (iii) Form PTO-1449 (2 pages)
 - (iv) Copies of 33 documents
3. Extension of Time: The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136(a) apply. Applicants do not believe an extension of time is required. However, if Applicants have inadvertently overlooked the need for an extension of time, please consider this a petition therefor. The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.
4. Fee Payment: The Commission is hereby authorized to charge **\$65.00** to Deposit Account 50-0310 for payment of the missing requirements surcharge fee at the small entity rate.
5. Except for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due

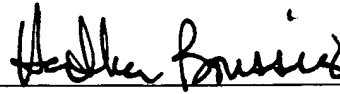
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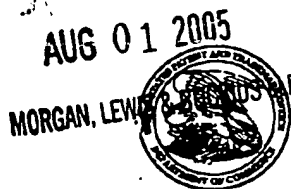
under 37 C.F.R. 1.16 and 1.17 which may be required, or credit any overpayment to Deposit Account 50-0310.

Dated: September 20, 2005
Morgan, Lewis & Bockius LLP
Customer No. 09629
1111 Pennsylvania, N.W.
Washington, D.C. 20004
202-739-3000

Respectfully submitted,
Morgan, Lewis & Bockius LLP

A handwritten signature in cursive script, appearing to read "Heather Boussios", is written over a horizontal line.

Heather M. Boussios
Registration No. 52,704

RECEIVED**AUG 01 2005**

MORGAN, LEWIS & BOCKIUS LLP

UNITED STATES PATENT AND TRADEMARK OFFICE

Page 1 of 2

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/522,810	Vernon L. Alvarez	051530-5008-US

INTERNATIONAL APPLICATION NO.

PCT/US03/17411

IA. FILING DATE	PRIORITY DATE
06/02/2003	05/31/2002

09629

MORGAN LEWIS & BOCKIUS LLP
1111 PENNSYLVANIA AVENUE NW
WASHINGTON, DC 20004

CONFIRMATION NO. 9490

371 FORMALITIES LETTER



OC000000016625208

Date Mailed: 07/27/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 01/31/2005
- Preliminary Amendments filed on 01/31/2005
- Biochemical Sequence Diskette filed on 01/31/2005
- Small Entity Statement filed on 01/31/2005
- U.S. Basic National Fees filed on 01/31/2005
- Priority Documents filed on 01/31/2005

Docketed 8/1/05 Attorney mj/rjs/HMB
Case 51530-5008
Due Date September 27, 2005
Action Notice of Missing Requirement
By GD Date 1/1

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$65 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/522,810	PCT/US03/17411	051530-5008-US

FORM PCT/DO/EO/905 (371 Formalities Notice)